

IN THE CLAIMS:

Please amend the claims as follows:

1. (original) A system for tracking time and date with a printer and managing that printer accordingly, the system comprising:
a printer having a clock circuit; and
one or more printer clients, each having a clock circuit;
wherein:
a printer driver of said printer client appends time/date data from said clock circuit of that printer client to a print job being transmitted to said printer; and
said printer extracts said time/date data from said print job transmission and uses said time/date data to set or adjust said clock circuit of said printer.
2. (original) The system of claim 1, wherein said printer compares said time/date data received with said print job to time/date data from said clock circuit of said printer or other time/date data received with other print jobs.
3. (original) The system of claim 2, wherein said printer rejects said time/date data if beyond a predetermined threshold relative to other time/date data received.
4. (original) The system of claim 3, wherein said printer rejects said time/date data if more than a standard deviation away from a sampling of other time/data data received.
5. (original) The system of claim 1, wherein said printer averages said time/date data received with said print job with other time/date data received with other print jobs and then sets or adjusts said clock circuit of said printer according to a resulting average of all said time/date data.
6. (original) The system of claim 1, wherein said clock circuit of said printer is connected to a battery as a back-up power source.

7. (original) The system of claim 1, wherein said printer is maintained in an operating mode during pre-defined hours and days based on output from said clock circuit of said printer.

8. (original) The system of claim 1, wherein said printer avoids performing a calibration procedure during pre-defined hours and days based on output from said clock circuit of said printer.

9. (original) A method of tracking time and date with a printer and managing that printer accordingly, the method comprising appending time/date data to a print job sent to said printer from a printer client having a clock circuit.

10. (original) The method of claim 9, further comprising, extracting said time/date data from said print job and using said time/date data to set or adjust a clock circuit of said printer.

11. (original) The method of claim 10, further comprising comparing said time/date data received with said print job to time/date data from said clock circuit of said printer or other time/date data received with other print jobs.

12. (original) The method of claim 11, further comprising rejecting said time/date data if beyond a predetermined threshold from said other time/date data.

13. (original) The method of claim 9, further comprising averaging said time/date data received with said print job with other time/date data received with other print jobs and then setting or adjusting said clock circuit of said printer according to a resulting average of all said time/date data.

14. (original) The method of claim 9, further comprising maintaining said printer in an operating mode during pre-defined hours and days based on output from said clock circuit of said printer.

15. (original) The method of claim 9, further comprising avoiding performance a calibration procedure during pre-defined hours and days based on output from said clock circuit of said printer.

16. (original) A system of tracking time and date with a printer and managing that printer accordingly, the system comprising:

means for appending time/date data to a print job sent to said printer from a printer client having a clock circuit that outputs time/date data; and

means for extracting said time/date data from said print job and using said time/date data to set or adjust a clock circuit of said printer.

17. (original) The system of claim 16, further comprising means for comparing said time/date data received with said print job to time/date data from said clock circuit of said printer or other time/date data received with other print jobs.

18. (original) The system of claim 17, further comprising means for rejecting said time/date data if beyond a predetermined threshold relative to said other time/date data.

19. (original) The system of claim 16, further comprising:
means for averaging said time/date data received with said print job with other time/date data received with other print jobs; and

means for setting or adjusting said clock circuit of said printer according to a resulting average of all said time/date data.

20. (original) The system of claim 16, further comprising means for maintaining said printer in an operating mode during pre-defined hours and days based on output from said clock circuit of said printer.

21. (original) The system of claim 16, further comprising means for avoiding performance a calibration procedure during pre-defined hours and days based on output from said clock circuit of said printer.

22. (original) Computer-readable instructions recorded in a medium for storing computer-readable instructions, said instructions being used by a system of tracking time and date with a printer and managing that printer accordingly, wherein said a first set of said instructions causes a processing device in a printer client device to append time/date data to a print job sent to said printer, where said printer client device has a clock circuit that outputs time/date data.

23. (original) The computer-readable instructions of claim 22, wherein a second set of said instructions causes a processing device in said printer to extract said time/date data from said print job and use said time/date data to set or adjust a clock circuit of said printer.

24. (original) The computer-readable instructions of claim 23, wherein said second set of said instructions further causes said processing device in said printer to compare said time/date data received with said print job to time/date data from said clock circuit of said printer or other time/date data received with other print jobs and reject said time/date data if beyond a standard deviation from said other time/date data.

25. (original) The computer-readable instructions of claim 23, wherein said second set of said instructions further causes said processing device in said printer to average said time/date data received with said print job with other time/date data; and set or adjust said clock circuit of said printer according to a resulting average of all said time/date data.

26. (new) A system for tracking time and date with a printer and managing that printer accordingly, the system comprising:

a printer having a clock circuit that tracks and outputs date and time information; and
one or more printer clients, each having a clock circuit that tracks and outputs date and time information;

wherein:

a printer driver of said printer client appends time/date data from said clock circuit of that printer client to a print job being transmitted to said printer; and

said printer extracts said time/date data from said print job transmission and uses said time/date data to set or adjust said clock circuit of said printer.

27. (new) The system of claim 26, wherein said printer compares said time/date data received with said print job to time/date data from said clock circuit of said printer or other time/date data received with other print jobs.

28. (new) The system of claim 27, wherein said printer rejects said time/date data if beyond a predetermined threshold relative to other time/date data received.

29. (new) The system of claim 28, wherein said printer rejects said time/date data if more than a standard deviation away from a sampling of other time/date data received.

30. (new) The system of claim 26, wherein said printer averages said time/date data received with said print job with other time/date data received with other print jobs and then sets or adjusts said clock circuit of said printer according to a resulting average of all said time/date data.

31. (new) The system of claim 26, wherein said clock circuit of said printer is connected to a battery as a back-up power source.

32. (new) The system of claim 26, wherein said printer is maintained in an operating mode during pre-defined hours and days based on output from said clock circuit of said printer.

33. (new) The system of claim 26, wherein said printer avoids performing a calibration procedure during pre-defined hours and days based on output from said clock circuit of said printer.

REMARKS

This is a full and timely response to the non-final Official Action mailed March 16, 2004 (Paper No. 3). Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

By the forgoing amendment, no changes are made to the original specification and claims. New claims 26-33 have been added. Thus, claims 1-33 are currently pending for the Examiner's consideration.

The sole issue raised in the outstanding Office Action is a rejection of claims 1-25 under 35 U.S.C. § 103(a) over the combined teachings of U.S. Patent No. 5,581,669 to Voth ("Voth") and U.S. Patent No. 6,594,028 to Hamamoto et al. ("Hamamoto"). For at least the following reasons, this rejection is respectfully traversed.

Claim 1 recites:

A system for tracking time and date with a printer and managing that printer accordingly, the system comprising:
a printer having a clock circuit; and
one or more printer clients, each having a clock circuit;
wherein:
a printer driver of said printer client appends time/date data from said clock circuit of that printer client to a print job being transmitted to said printer; and
said printer extracts said time/date data from said print job transmission and uses said time/date data to set or adjust said clock circuit of said printer.

It must be noted that there are two separate and distinct definitions of a "clock circuit" that need to be considered here. First, a clock circuit can be an instrument that reports time and date information. This definition, which is the one that should be applied when

construing the claims, is supported in Applicant's specification in the first full paragraph of page 5.

Second, a "clock circuit" can be a circuit that produces a square waveform used for synchronizing and timing of several circuits. (<http://www.twysted-pair.com/dictc.htm>). Such a "clock circuit" does not track or report time and date information.

Applicant wishes to point out that the claimed "clock circuit" is recited as a clock that tracks time and date information. This is made clear in claim 1 by the use of "time/date data to set or adjust the clock circuit of said printer."

According to the Office Action, Voth teaches the claimed printer having a clock circuit. This is incorrect. As cited in the Office Action, Voth states:

The details of the clock circuit 108 are shown in FIG. 6. A printer clock 124 within the printer 10 provides a high frequency clock for the clock circuit 108. The output of the printer clock 124, designated in FIG. 6 as CLK, may typically operate at approximately 20 Megahertz, with a resulting period of approximately 50 nanoseconds.
(Col. 9, lines 9-19).

Thus, Voth teaches a printer with a "clock circuit" that synchronizes the timing of circuits. Voth does not teach or suggest the claimed printer having a clock circuit that tracks time/date information. The prior art cited does not appear to teach or suggest such a printer with a time/date clock circuit.

Also according to the Office Action, Hamamoto is cited as teaching printer clients having a printer driver that appends time/date data to print jobs being submitted to the printer. This also is incorrect.

What Hamamoto actually teaches is a printer driver that sets a printer speed based on a determination of the time of day. Hamamoto, as cited in the Office Action, states that:

Thus, in step S7701, print driver 84 gets current printer status temperature TenvL, and in step 7702 print driver 84 obtains current configuration and time of day from

computing equipment 1. In step S7703, print driver 84 determines, based on time of day, whether it is nighttime, for example, by comparing time of day to determine whether it lies in the range of 5:00 a.m. to 10:00 p.m. If time of day is outside the normal daytime range, then flow advances to step S7705, in which a slow speed for sheet feed is always selected.

On the other hand, if in step S7703 the print driver 84 determines that it is not nighttime, then flow advances to step S7706 in which print driver 84 determines whether printer status temperature TenvL is high enough so as to select a high speed of sheet feed. If printer status temperature is large enough, then a high speed is selected (step S7708), whereas if temperature is not high enough, then a low speed is selected (step S7707).

(Col. 87, line 65 to col. 88, line 23).

Hamamoto does not teach or suggest that “a printer driver of said printer client appends time/date data from said clock circuit of that printer client to a print job being transmitted to said printer” as claimed. The Office Action has not indicated any portion of Hamamoto that teaches such subject matter.

Thus, the combination of Voth and Hamamoto fails to teach or suggest the features of claim 1. The combination fails to teach or suggest “a printer having a clock circuit;” “a printer driver of said printer client [that] appends time/date data from said clock circuit of that printer client to a print job being transmitted to said printer;” and a “printer [that] extracts said time/date data from said print job transmission and uses said time/date data to set or adjust said clock circuit of said printer.”

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). Therefore, because the combination of Voth and Hamamoto fails to teach or suggest the features of claim 1, the rejection of claims 1-8 should be reconsidered and withdrawn.

Independent claim 9 recites: "A method of tracking time and date with a printer and managing that printer accordingly, the method comprising appending time/date data to a print job sent to said printer from a printer client having a clock circuit." As demonstrated above, the combination of Voth and Hamamoto fails to teach or suggest appending time/date data to a print job sent to a printer.

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). Therefore, because the combination of Voth and Hamamoto fails to teach or suggest the features of claim 9, the rejection of claims 9-15 should be reconsidered and withdrawn.

Independent claim 16 recites:

A system of tracking time and date with a printer and managing that printer accordingly, the system comprising:
means for appending time/date data to a print job sent to said printer from a printer client having a clock circuit that outputs time/date data; and
means for extracting said time/date data from said print job and using said time/date data to set or adjust a clock circuit of said printer.

As demonstrated above, the combination of Voth and Hamamoto fails to teach or suggest means for appending time/date data to a print job sent to a printer. Thus, the combination also fails to teach or suggest means for extracting that time/date data from the print job and using that data to set or adjust a clock circuit of the printer.

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). Therefore, because the combination of Voth and Hamamoto fail to teach or suggest the features of claim 16, the rejection of claims 16-21 should be reconsidered and withdrawn.

Independent claim 22 recites:

Computer-readable instructions recorded in a medium for storing computer-readable instructions, said instructions being used by a system of tracking time and date with a printer and managing that printer accordingly, wherein said a first set of said instructions causes a processing device in a printer client device to append time/date data to a print job sent to said printer, where said printer client device has a clock circuit that outputs time/date data.

As demonstrated above, the combination of Voth and Hamamoto fails to teach or suggest instructions that cause a processing device in a printer client device to append time/date data to a print job

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." M.P.E.P. § 2143.03. Accord. M.P.E.P. § 706.02(j). Therefore, because the combination of Voth and Hamamoto fail to teach or suggest the features of claim 22, the rejection of claims 22-25 should be reconsidered and withdrawn.

In addition to the independent claims discussed above, the various dependent claims in this application recite subject matter is not taught to suggested by the combination of Voth and Hamamoto. For example, the combination of Voth and Hamamoto fails to teach or suggest a "printer [that] compares said time/date data received with said print job to time/date data from said clock circuit of said printer or other time/date data received with other print jobs." (e.g. claim 2). The combination of Voth and Hamamoto fails to teach or suggest that the "printer rejects said time/date data if beyond a predetermined threshold relative to other time/date data received." (e.g., claim 3). The combination of Voth and Hamamoto fails to

teach or suggest that the “printer rejects said time/date data if more than a standard deviation away from a sampling of other time/date data received.” (e.g., claim 4).

The combination of Voth and Hamamoto fails to teach or suggest that the “printer averages said time/date data received with said print job with other time/date data received with other print jobs and then sets or adjusts said clock circuit of said printer according to a resulting average of all said time/date data.” (e.g., claim 5). The combination of Voth and Hamamoto fails to teach or suggest that the “printer is maintained in an operating mode during pre-defined hours and days based on output from said clock circuit of said printer.” (e.g., claim 7). The combination of Voth and Hamamoto fails to teach or suggest that the “printer avoids performing a calibration procedure during pre-defined hours and days based on output from said clock circuit of said printer.” (e.g., claim 8).

Additionally, the newly added claims are thought to be patentable over the prior art of record for at least the same reasons as given above with regard to claim 1 and the other original independent claims. Therefore allowance of the newly added claims is respectfully requested.

For the foregoing reasons, the present application is thought to be clearly in condition for allowance. Accordingly, favorable reconsideration of the application in light of these remarks is courteously solicited. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,



Steven L. Nichols
Registration No. 40,326

DATE: 16 June 2004

Steven L. Nichols, Esq.
Managing Partner, Utah Office
Rader Fishman & Grauer PLLC
River Park Corporate Center One
10653 S. River Front Parkway, Suite 150
South Jordan, Utah 84095

(801) 572-8066
(801) 572-7666 (fax)